

# **EXHIBIT “1”**

1 JEFFREY M. VUCINICH, ESQ. BAR#: 67906  
JOSHUA W. ROSE, ESQ. BAR#: 191024  
2 CLAPP, MORONEY, BELLAGAMBA and VUCINICH  
A PROFESSIONAL CORPORATION  
3 1111 Bayhill Drive, Suite 300  
San Bruno, CA 94066  
4 (650) 989-5400 (650) 989-5499 FAX

5 Attorneys for Defendant/Cross-Complainant/Cross-Defendant  
6 PAULEY CONSTRUCTION, INC.

**FILED**  
SUPERIOR COURT  
COUNTY OF SAN FRANCISCO

FEB 20 2007

GORDON PARK-LI, Clerk  
BY: [Signature] Deputy Clerk

7  
8 SUPERIOR COURT OF CALIFORNIA  
9 COUNTY OF SAN FRANCISCO

10  
11 SIFA TUIAKI and LUPE TUIAKI,  
12 Plaintiffs,

13 v.

14 PACIFIC GAS AND ELECTRIC  
COMPANY, PAULEY  
15 CONSTRUCTION, INC., TRAFFIC  
SOLUTIONS, INC., ADELPHIA  
16 TELECOMMUNICATIONS CO., INC.,  
SBC TELECOMMUNICATIONS, INC.,  
17 MOBILE TOOL INTERNATIONAL, INC.  
dba TELSTA, COUNTY OF  
18 MENDOCINO, STATE OF  
CALIFORNIA, PACIFIC BELL  
19 TELEPHONE COMPANY, PACIFIC  
TELESIS GROUP, SBC OPERATIONS,  
20 INC., and DOES 1 to 50,

21 Defendants.  
22  
23

CASE NO.: CGC-03-419761 (Consolidated  
with 04-432476)

**[PROPOSED] ORDER GRANTING  
PAULEY CONSTRUCTION, INC.'S  
MOTION FOR DETERMINATION OF  
GOOD FAITH SETTLEMENT**

Date: February 20, 2007  
Time: 9:30 a.m.  
Department: 301  
Judge: Peter J. Busch

24 The Motion of Defendant, Cross-defendant and Cross-complainant Pauley Construction, Inc.  
25 for an order determining the good faith of a settlement by and among Pauley Construction, Inc., S.G.  
26 Barber Construction, Inc. Plaintiffs Sifa and Lupe Tuiaki and having been presented to this Court:

27 IT APPEARING TO THE SATISFACTION OF THE COURT THAT the Motion of Pauley  
28

G:\Data\DOCS\0017\03419\ord-gfs

1  
**[PROPOSED] ORDER GRANTING PAULEY CONSTRUCTION, INC.'S MOTION FOR  
DETERMINATION OF GOOD FAITH SETTLEMENT**

1 Construction, Inc. was made pursuant to and in accordance with the provisions of CALIFORNIA CODE  
2 OF CIVIL PROCEDURE §§ 877 and 877.6.

3 (1) The Motion for Determination of Good Faith Settlement is GRANTED; and

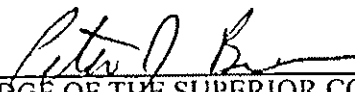
4 (2) The Court hereby determines that the settlement between Plaintiffs Sifa Tuiaki and Lupe  
5 Tuiaki, Pauley Construction, Inc. and S.G. Barber Construction, Inc. has been made in good faith  
6 pursuant to California Code of Civil Procedure § 877.6; and

7 (3) The Court hereby rules that any and all actual and/or potential claims by Plaintiffs,  
8 Defendants, Cross-complainants, Cross-defendants, and by any other actual or potential party against  
9 any of the parties to the settlement by any joint tortfeasor or co-obligor for equitable comparative  
10 contribution or partial or comparative indemnity based on comparative negligence or comparative  
11 fault are forever barred; and

12 (4) This order shall not operate to bar claims for attorneys fees and costs Pauley Construction,  
13 Inc. and its insurers may assert against S.G. Barber Construction, Inc. and its insurers.

14 IT IS SO ORDERED

15  
16 Dated: February 20, 2007

  
JUDGE OF THE SUPERIOR COURT  
Peter J. Busch